

UNITED STATES DISTRICT COURT
DISTRICT OF PUERTO RICO

In re:

THE FINANCIAL OVERSIGHT AND MANAGEMENT
BOARD FOR PUERTO RICO,

as representative of

THE COMMONWEALTH OF PUERTO RICO,
et al.,

Debtors.

PROMESA
Title III

No. 17 BK 3283-LTS
(Jointly Administered)

**AAAF's RESPONSES AND OBJECTIONS TO REQUESTS FOR PRODUCTION OF
INDIVIDUAL BONDHOLDER (PETER C. HEIN) – SET 2**

materials provided by persons or entities other than AAFAF. AAFAF further objects to this Request because it is better directed to the Oversight Board.

REQUEST FOR PRODUCTION No. 49:

Produce documents sufficient to show the aggregate value of all personal and real property in Puerto Rico not exempted from tax for each fiscal year July 1, 2016 through June 30, 2021.

RESPONSE TO REQUEST FOR PRODUCTION No. 49:

In addition to its General Objections, incorporated herein by this reference, AAFAF objects to this Request as overbroad, unduly burdensome, and not relevant to the parties' claims or objections in connection with the Plan of Adjustment.

REQUEST FOR PRODUCTION No. 50:

Request No. 9 of Peter Hein's Requests for Production Set – 1 (dated August 20, 2021) is intended as a continuing request. See "Additional Instructions" Nos. 4 and 5. Without prejudice to my position that Request No. 9 of my Set – 1 was and should be treated as a continuing request, Request No. 9 is hereby re-propounded, as of the date thereof.

RESPONSE TO REQUEST FOR PRODUCTION No. 50:

In addition to its General Objections, incorporated herein by this reference, AAFAF incorporates its responses and objections to Request No. 9 of Mr. Hein's *Requests for Production of Individual Bondholder (Peter C. Hein) – Set 1*.

REQUEST FOR PRODUCTION No. 51:

Produce all Communications sent to, or received from, the IRS by or on behalf of FOMB, FAFAA, Commonwealth, or any other representative, agency, or instrumentality of Commonwealth, relating to the tax treatment, or potential tax treatment, of bonds or other securities issued or proposed to be issued by Commonwealth or any agency or instrumentality thereof, including COFINA or GO bonds, during the pendency of these Title III proceedings, including any application (formal or informal) for rulings or determinations, including rulings or determinations of tax-exempt status.

RESPONSE TO REQUEST FOR PRODUCTION No. 51:

In addition to its General Objections, incorporated herein by this reference, AAFAF objects to this Request as overbroad, unduly burdensome, and not relevant to the parties' claims or objections in connection with the Plan of Adjustment.

Subject to and without waiving the foregoing general and specific objections, AAFAF responds as follows: AAFAF will meet and confer with Mr. Hein in response to this Request.

REQUEST FOR PRODUCTION No. 52:

Produce an English-language version Act 107-2020 (referenced on page 3 of the CRIM certified fiscal years 2022 through 2026 fiscal plan dated 4/23/2021 titled "Fiscal plan for the municipal revenue collecting center - Improving property tax collections").

RESPONSE TO REQUEST FOR PRODUCTION No. 52:

In addition to its General Objections, incorporated herein by this reference, AAFAF objects to this Request on the grounds that it does not seek information proportional or relevant to the analysis of the confirmability of the Plan. In addition, the Commonwealth objects to this Request on the grounds it seeks documents that are either publicly available or are more readily obtained from another source. AAFAF also objects to this Request to the extent it seeks production of unofficial translations.

Subject to and without waiving the foregoing general and specific objections, AAFAF responds as follows:

AAFAF will produce an official English version of, or a preexisting certified translation of, Act 107-2020, to the extent such document exists and may be located pursuant to a reasonable search.

REQUEST FOR PRODUCTION No. 53:

Produce the fiscal plan models for, supporting or underlying the 4/23/2021, 5/27/2020, 5/9/2019, 10/23/2018 and/or 4/19/2018 Commonwealth fiscal plans certified by FOMB,

REQUEST FOR PRODUCTION No. 55:

Produce all documents that discuss or relate to the reason attendance reports are not in existence for months beginning November 2020 to the present (this request follows up on AAFAF's response to date to my Request No. 25 in Set – 1 (August 20, 2021)).

RESPONSE TO REQUEST FOR PRODUCTION No. 55:

In addition to its General Objections, incorporated herein by this reference, AAFAF objects to this Request to the extent it seeks documents protected by the Attorney-Client Privilege, Attorney Work-Product Doctrine, the Executive and Deliberative Process Privileges, the Common Interest Privilege, or any other applicable privileges, doctrines, or immunities protecting information from disclosure. AAFAF further objects to this Request as overbroad, unduly burdensome, and not relevant to the parties' claims or objections in connection with the Plan of Adjustment.

REQUEST FOR PRODUCTION No. 56:

Produce copies of any record, whether a transcription, a recording or other memorialization, of what transpired in the course of the mediation and/or negotiation process that resulted in PSAs and/or the proposed plan.

RESPONSE TO REQUEST FOR PRODUCTION No. 56:

In addition to its General Objections, incorporated herein by this reference, AAFAF objects to this Request to the extent it seeks documents protected by the Attorney-Client Privilege, Attorney Work-Product Doctrine, the Executive and Deliberative Process Privileges, the Common Interest Privilege, the Mediation Privilege, or any other applicable privileges, doctrines, or immunities protecting information from disclosure. AAFAF further objects to this Request as overbroad, unduly burdensome, and not relevant to the parties' claims or objections in connection with the Plan of Adjustment. AAFAF further objects to this Request to the extent

that it seeks information outside of AAFAF's possession, custody, or control. AAFAF further objects to this Request because it is better directed to the Oversight Board.

REQUEST FOR PRODUCTION No. 57:

Produce any documents that reflect participation of individual bondholders in the mediation and/or negotiation process that resulted in PSAs and/or the proposed plan.

RESPONSE TO REQUEST FOR PRODUCTION No. 57:

In addition to its General Objections, incorporated herein by this reference, AAFAF objects to this Request to the extent it seeks documents protected by the Attorney-Client Privilege, Attorney Work-Product Doctrine, the Executive and Deliberative Process Privileges, the Common Interest Privilege, the Mediation Privilege, or any other applicable privileges, doctrines, or immunities protecting information from disclosure. AAFAF further objects to this Request as overbroad, unduly burdensome, and not relevant to the parties' claims or objections in connection with the Plan of Adjustment. AAFAF further objects to this Request to the extent that it seeks information outside of AAFAF's possession, custody, or control. AAFAF further objects to this Request because it is better directed to the Oversight Board.

REQUEST FOR PRODUCTION No. 58:

Produce all reports, studies, calculations and analyses, and drafts thereof, and any summaries thereof, developed by the person or persons who assisted FOMB, Commonwealth and/or AAFAF in developing counts, estimates or projection of the population of Puerto Rico, and all Communications related thereto with such person.

RESPONSE TO REQUEST FOR PRODUCTION No. 58:

In addition to its General Objections, incorporated herein by this reference, AAFAF objects to this Request to the extent it seeks documents protected by the Attorney-Client Privilege, Attorney Work-Product Doctrine, the Executive and Deliberative Process Privileges, the Common Interest Privilege, or any other applicable privileges, doctrines, or immunities

Dated: September 24, 2021
San Juan, Puerto Rico

Respectfully submitted,
O'MELVENY & MYERS LLP

/s/ Peter Friedman

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